

**United States District Court  
District of Rhode Island**

# Manny Chum

Plaintiff

**V.**

GNMA II;  
Pacific Union Financial  
Association LLC

## Defendants

Case No.: 18-cv-684

## Affidavit of Ryan Kojadulian of JM Adjustment Services

I, Ryan Kojadulian, of JM Adjustment Services, having personal knowledge of the facts contained in this affidavit, on oath, state as follows:

1. I am employed by or serve in the capacity of Compliance Manager at JM Adjustment Services.
2. In my capacity as Compliance Manager, I along with others have knowledge of the business records of JM Adjustment Services as they relate to the Mortgage which is the subject of the above captioned case. JM Adjustment Services' records are kept in the ordinary course of business by persons who have a business duty to make such records. The records are made at or near the occurrence of events so recorded. To the extent records related to the loan come from another entity, those records were received by JM Adjustment Services in the ordinary course of its business, have been incorporated into and maintained as part of JM Adjustment Services' business records, and have been relied on by JM Adjustment Services. I have personal knowledge of facts set forth in this affidavit based upon my review of JM Adjustment Services' business records maintained in connection with the Mortgage.
3. JM Adjustment Services performs field operational services for mortgage lenders and servicers, among them being the dispatch of individuals on behalf of mortgage services to mortgaged property for the purposes of

arranging face-to-face meetings with mortgagors pursuant to regulations promulgated by the Secretary of Housing and Urban Development.

4. JM Adjustment Services' business records reflect that at 5:51pm on August 29, 2017, Michael Pratt a representative from JM Adjustment Services visited property owned by the Plaintiff in this action commonly known as 115 Second Avenue in Cranston Rhode Island (the "Property") to see the Plaintiff in an attempt to arrange a face to face interview with the Plaintiff. JM Adjustment Services visited the property at the request of the holder of the subject Mortgage, Pacific Union Financial Association LLC to satisfy regulations promulgated by the Secretary of Housing and Urban Development relating to face to face interviews with delinquent borrowers.
5. Upon visiting the property, Michael Pratt met an individual who claimed to be the son of Ms. Chum. Michael Pratt provided to that individual an envelope containing documentation attached to this Affidavit as Exhibit A relating to the attempted face-to-face meeting.

**The Remainder of this Page is Left Intentionally Blank**

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY this 18<sup>th</sup> day  
of December, 2018.

By: [Signature]

Title: Compliance Manager

STATE OF Michigan

COUNTY OF Macomb

The foregoing instrument was acknowledged and sworn before me this  
18<sup>th</sup> day of December, 2018 by  
Ryan Kojadulian as a Compliance Manager of JM  
Adjustment Services, who is personally known to me or who has produced  
as identification.

[Signature]

Signature of Notary Public

Name of Notary Public: Zachary Preuss

Personally known: Yes

OR Produced Identification                     

Type of Identification Produced                     

ZACHARY PREUSS  
Notary Public, State of Michigan  
County Of Oakland  
My Commission Expires 05-24-2024  
Acting in the County of Macomb

AUGUST 28, 2017

Exhibit A

SOCHANNA CHUM & MANNY CHUM  
115 SECOND AVE  
CRANSTON, RI 02910

**Account Number:** 0000898270  
**Property Address:** 115 SECOND AVE  
CRANSTON, RI 02910

Re: Foreclosure Prevention

Dear Customer(s):

Pacific Union, the mortgage servicer on the above referenced account, identified that you are in default under the terms of your note and mortgage or deed of trust. We realize that you may be experiencing a temporary or permanent financial difficulty that has led to the delinquency.

We want to work with you to resolve the delinquency and avoid foreclosure. We are willing to meet with you in person or by telephone.

Options available, which may be tailored to your individual circumstances, include:

- Repayment Plans
- Loan Modifications
- Short Sales
- Deeds in Lieu of Foreclosure

As a reminder, these options may not be available to everyone and you are still obligated to make all future loan payments as they come due, even while we are evaluating the types of assistance that may be available to you. Please be advised that there is no guarantee that you will be eligible to receive any (or a particular type of) assistance through one of these programs.

To discuss your situation and to obtain more information about the foreclosure prevention alternatives available to you, or to schedule a meeting, please contact our Loss Mitigation Department, toll free, at (855) 573-2289. Representatives are available Monday through Friday between the hours of 8:00 am - 6:00 pm.

If you do not feel comfortable talking with Pacific Union, you should immediately contact a HUD-approved housing counseling agency and arrange an appointment with a counselor. A counselor will help you assess your financial situation, determine what options are available to you, and can contact Pacific Union with you or on your behalf to discuss what course of action is best for you. To obtain the name and contact information for a counseling agency near you, call (800) 569-4287. You can also get an automated referral to the three housing counseling agencies located closest to you by calling (800) 569-4287. HUD has information about loss mitigation assistance at its website at: <http://www.hud.gov/offices/hsg/sfh/econ/econ.cfm>.

We look forward to discussing loss mitigation options that may be available to you to avoid foreclosure.

Sincerely,

Pacific Union

**This communication from a debt collector is an attempt to collect a debt and any information obtained will be used for that purpose.**

## REQUEST FOR MORTGAGE ASSISTANCE FORM

**Important!** To avoid delays, please make sure all pages are complete and accurate.

Number of People in Household: \_\_\_\_\_ Loan Number \_\_\_\_\_

## Section A →

**BORROWER and PROPERTY INFORMATION**

Borrower's Name		Co-Borrowers Name	
Social Security Number	Date of Birth:	Social Security Number	Date of Birth:
Home Phone Number With Area Code		Home Phone Number With Area Code	
Email Address		Email Address	
I wish to keep my home		<input type="checkbox"/> Yes <input type="checkbox"/> No	

*When you give us your mobile phone number, we have your permission to contact you at that number about all of your Pacific Union Financial, LLC accounts. Your consent allows us to use text messaging, artificial or prerecorded voice messages and automatic dialing technology for informational and account service calls, but not for telemarketing or sales calls. It may include contact from companies working on our behalf to service your accounts. Message and data rates may apply. You may contact us anytime to change these preferences.*

**NON-BORROWER HOUSEHOLD CONTRIBUTOR**

Is there a person <u>not on the mortgage note</u> who lives in the residence and contributes financially to the household?		<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, complete the following:		
First and last name(s):	Contributor(s) Signature(s):	
Monthly amount contributed to the household: \$		
Are there living expenses for this person?	<input type="checkbox"/> Yes <input type="checkbox"/> No	
If yes, monthly amount of expenses: \$		

**MILITARY AFFILIATION**

Is any borrower a service member?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, since 8/11/01 has the service member been, or is the Service member currently, serving on active duty with the United States Military?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Has the service member recently been deployed away from the principal residence or recently received a Permanent Change of Station (PCS) order?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, I intend to occupy this property as my primary residence sometime in the future.	<input type="checkbox"/> Yes <input type="checkbox"/> No
Is any borrower the surviving spouse of a deceased service member who was on active duty at the time of the death?	<input type="checkbox"/> Yes <input type="checkbox"/> No

**PROPERTY**

The property is my:	<input type="checkbox"/> Primary Residence	<input type="checkbox"/> Second Home	<input type="checkbox"/> Investment
The property is:	<input type="checkbox"/> Owner Occupied	<input type="checkbox"/> Renter Occupied	<input type="checkbox"/> Vacant
Mailing Address:			
Property Address (if same as mailing address, just write "same"):			
Is the property listed for sale?	<input type="checkbox"/> Yes <input type="checkbox"/> No	Have you contacted a credit counseling agency for help? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If yes, what was the listing date?		If yes, please complete the following:	
Have you received an offer on the property?	<input type="checkbox"/> Yes <input type="checkbox"/> No	Counselor's Name: _____	
Date of Offer: _____	Amount of Offer: \$ _____	Agency Name: _____	
Closing date: _____		Counselor's Phone Number: _____	
Agents Name: _____		Counselor's Email: _____	
Agent's Phone Number: _____			
For Sale by Owner?	<input type="checkbox"/> Yes <input type="checkbox"/> No		

<b>Who pays the real estate tax bill on your property?</b> <input type="checkbox"/> I do <input type="checkbox"/> Pacific Union does <input type="checkbox"/> Condo or HOA does <b>Are the taxes current?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <b>Condominium or HOA Fees?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <b>Are the fees paid current?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <b>Name and address that Condo or HOA fees are paid to:</b> _____ _____	<b>Who pays the insurance premiums for your property?</b> <input type="checkbox"/> I do <input type="checkbox"/> Pacific Union does <input type="checkbox"/> Condo or HOA does <b>Is the policy current?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <b>Name(s) of Insurance Company:</b> _____ <b>Insurance Company Phone Number(s):</b> _____
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## REQUEST FOR MORTGAGE ASSISTANCE FORM

Important: To avoid delays, please make sure all pages are complete and accurate.

Loan Number: \_\_\_\_\_

## Section B

## HARDSHIP AFFIDAVIT

I, (We) am/are requesting a review.

I am having difficulty making my monthly payment because of financial difficulties created by (check all that apply):

☐ My household income has been reduced. For example: reduced pay or hours, decline in business or self-employment earnings, death, disability or divorce of a borrower or co-borrower

☐ My monthly debt payments are excessive and I am overextended with my creditors. Debt includes credit cards, home equity or other debt.

☐ My expenses have increased. For example: monthly mortgage payment reset, high medical or health care costs, uninsured losses, increased utilities or property taxes.

☐ My cash reserves, including all liquid assets, are insufficient to maintain my current mortgage payment and cover basic living expenses at the same time.

☐ I am unemployed and (a) I am receiving/will receive unemployment benefits or (b) my unemployment benefits ended less than 6 months ago.

I believe that my situation is:

☐ Short-term (under 6 months)

☐ Medium-term ( 6 – 12 months)

☐ Long-term or permanent (greater than 12 months)

Explanation (continue on a separate sheet of paper if necessary): \_\_\_\_\_

## Section C

## REQUIRED DOCUMENTATION

- Complete and provide these forms:
  - Request for Mortgage Assistance Form
  - Form 4506T
  - Last two years Tax Returns (All schedules and pages)
  - Hardship documentation
- Provide the documentation below based on your income type:

IF ANY OF THE FOLLOWING APPLY TO YOU:	PROVIDE A COPY OF:
<b>Unemployment:</b> You are currently unemployed and receiving unemployment benefits	<ul style="list-style-type: none"> <li>A copy of your benefits (unemployment) statement or letter detailing the amount, frequency and duration of your unemployment benefits</li> <li>Two most recent bank statements</li> </ul>
<b>Recently Employed:</b> You have recently become employed but have not yet received pay from your new employer	<ul style="list-style-type: none"> <li>Tax return from the previous year (including all schedules)</li> <li>Two most recent bank statements</li> <li>Offer letter from new employer detailing your hourly or annual pay, number of hours to be worked each week, and permanent or temporary position designation</li> </ul>
<b>You are paid hourly or salary</b>	<ul style="list-style-type: none"> <li>Tax return from the previous year (including all schedules)</li> <li>Copies of your most recent pay stubs showing year-to-date earnings. If you are paid:               <ul style="list-style-type: none"> <li>Bi- Weekly or semi-monthly (2 consecutive pay stubs)</li> <li>Weekly (4 consecutive pay stubs)</li> <li>Monthly (1 paystub)</li> </ul> </li> <li>A copy of your most recent W-2</li> </ul>
<b>You have experienced divorce or legal separation:</b> (separation of borrowers unrelated by marriage, civil union or similar domestic partnership under applicable law)	<ul style="list-style-type: none"> <li>Divorce decree signed by the court; or Separation agreement signed by the court; or recorded Quitclaim Deed evidencing that the non-occupying borrower or co-borrower has relinquished all rights to the property</li> </ul>
<b>A death has occurred:</b> Death of a borrower or death of either the primary or secondary wage earner in the household or dependent family member	<ul style="list-style-type: none"> <li>Death certificate or Probate / Executor Documentation provided by court</li> </ul>
<b>You receive fixed income such as:</b> Social Security      Disability Death Benefits      Pension Public Assistance      Adoption Assistance	<ul style="list-style-type: none"> <li>Tax return from the previous year (including all schedules)</li> <li>Copy of benefit statement or letter from source indicating amount of income, frequency, and duration</li> <li>Two most recent bank statements</li> </ul>
<b>You receive alimony or child support as income:</b> you are not required to disclose child support, alimony or separate maintenance, unless you choose to have it considered in our review of foreclosure alternatives	<ul style="list-style-type: none"> <li>Divorce Decree or Separation Agreement or other written agreement filed with the court indicating amount and duration of payments</li> <li>Two most recent bank statements showing deposits of this income</li> </ul>
<b>You have income from rental property that is not your primary residence</b>	<ul style="list-style-type: none"> <li>Lease Agreement(s)</li> <li>Two most recent bank statements showing deposits of rent</li> </ul>
<b>You're self-employed or you receive a 1099</b>	<ul style="list-style-type: none"> <li>Tax return from the previous year (including all schedules)</li> <li>Two most recent bank statements</li> <li>Most recent quarterly or year to date profit and loss statement compiled by</li> </ul>

	a CPA • 1099 letter from employer with start date and year to date gross income
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<div style="display: flex; align-items: center; justify-content: space-between;"> <div style="width: 10%;"></div> <div style="width: 80%;"><b>INCOME/EXPENSE FOR HOUSEHOLD</b></div> <div style="width: 10%;"></div> </div>	
EMPLOYMENT INFORMATION	
Borrower monthly Income: \$ _____ I am: <input type="checkbox"/> Employed by a Company Company #1 Name: _____ Company #1 Address: _____ _____ Employment Start Date: _____ Company #2 Name: _____ Company #2 Address: _____ _____ Employment Start Date: _____ I am: <input type="checkbox"/> Self-Employed      Percent of Ownership _____% I am: <input type="checkbox"/> Independent Contractor      Number of months paid _____	Co-borrower Monthly Income: \$ _____ I am: <input type="checkbox"/> Employed by a Company Company #1 Name: _____ Company #1 Address: _____ _____ Employment Start Date: _____ Company #2 Name: _____ Company #2 Address: _____ _____ Employment Start Date: _____ I am: <input type="checkbox"/> Self-Employed      Percent of Ownership _____% I am: <input type="checkbox"/> Independent Contractor      Number of months paid _____

HOUSEHOLD INCOME		HOUSEHOLD EXPENSES/DEBT	
Monthly Gross Wages	\$ _____	Monthly First Mortgage Principal and Interest Payment	\$ _____
Monthly Self-Employment Income	\$ _____	Monthly Second Mortgage Principal and Interest Payment	\$ _____
Monthly Overtime	\$ _____	Monthly Homeowners' Insurance	\$ _____
Monthly Unemployment Income	\$ _____	Monthly Property Taxes	\$ _____
Monthly Tips, Commissions, Bonus	\$ _____	Monthly HOA/Condo Fees/Co-Op Fees/Property Maintenance	\$ _____
Monthly Non-Taxable Social Security/SSDI	\$ _____	Monthly Mortgage Payments on Other Properties	\$ _____
Monthly Taxable Social Security Benefits or Other Monthly Income from Annuities or Retirement Plans	\$ _____	Monthly Credit Cards/Installment Loan(s) (total minimum payment)	\$ _____
Monthly Child Support/Alimony	\$ _____	Monthly Auto Lease/Payment	\$ _____
Monthly Gross Rents Received	\$ _____	Monthly Other _____	\$ _____
Monthly Food Stamps/Welfare	\$ _____		
Monthly Other _____	\$ _____		

HOUSEHOLD ASSETS		ADDITIONAL LIVING EXPENSES	
Checking Account(s)	\$ _____	Tuition/School	\$ _____
Checking Account(s)	\$ _____	Child Care (daycare, babysitting)	\$ _____
Savings/Money Market	\$ _____	Automobile Expenses (insurance/maintenance/gas)	\$ _____
CDs	\$ _____	Food	\$ _____
Stocks/Bonds	\$ _____	Life Insurance premium	\$ _____
Other Cash on Hand	\$ _____	Medical	\$ _____
Other Real Estate (estimated value)	\$ _____	Utilities	\$ _____
Other _____	\$ _____	Clothing	\$ _____
<b>Total assets</b>	<b>\$ _____</b>	Cable, Internet, Phone	\$ _____
		Other _____	\$ _____
		<b>Total Living Expenses</b>	<b>\$ _____</b>

**Section E****BANKRUPTCY**

Please provide attorney authorization and contact information if you are represented by an attorney.

Have you filed for bankruptcy: ☐ Yes ☐ No If yes: ☐ Chapter 7 ☐ Chapter 13

Filing Date: \_\_\_\_\_

Has your bankruptcy been discharged? ☐ Yes ☐ No Bankruptcy case number: \_\_\_\_\_**ADDITIONAL LIENS/MORTGAGES OR JUDGMENTS**☐ Check this box if this section does **NOT** apply to you.

Lien Holder's Name/Service	Balance	Phone Number	Reference Number/Loan Number

**Section G****OTHER PROPERTIES OWNED****PROPERTY #1**

Property Address: \_\_\_\_\_ Loan Number \_\_\_\_\_

Mortgage Servicer Name: \_\_\_\_\_ Mortgage Balance: \$ \_\_\_\_\_

Second Mortgage Servicer Name: \_\_\_\_\_ Mortgage Balance: \$ \_\_\_\_\_

Property is: ☐ Vacant ☐ Second or Seasonal Home ☐ Rented

Current Value: \$ \_\_\_\_\_ Gross Monthly Rent: \$ \_\_\_\_\_ Monthly Mortgage Payment: \$ \_\_\_\_\_

**PROPERTY #2**

Property Address: \_\_\_\_\_ Loan Number \_\_\_\_\_

Mortgage Servicer Name: \_\_\_\_\_ Mortgage Balance: \$ \_\_\_\_\_

Second Mortgage Servicer Name: \_\_\_\_\_ Mortgage Balance: \$ \_\_\_\_\_

Property is: ☐ Vacant ☐ Second or Seasonal Home ☐ Rented

Current Value: \$ \_\_\_\_\_ Gross Monthly Rent: \$ \_\_\_\_\_ Monthly Mortgage Payment: \$ \_\_\_\_\_

**RENTAL PROPERTY CERTIFICATION**

You must complete this certification if you are requesting a mortgage modification with respect to a rental property.

☐ Check this box if this section does **NOT** apply to you.

1. I intend to rent the property to a tenant or tenants for at least five years following the effective date of my mortgage modification. I understand that the Servicer, the U.S. Department of the Treasury, or their respective agents may ask me to provide evidence of my intention to rent the property during such time. I further understand that such evidence must show that I used reasonable efforts to rent the property to a tenant or tenants on a year-round basis, if the property is or becomes vacant during such a five-year period.

Note: The term "reasonable efforts" includes, without limitation, advertising the property for rent in local newspapers, websites or other commonly used forms of written or electronic media, and/or engaging a real estate agent or other professional to assist in renting the property, at or below market rent.

2. The property is not my secondary residence and I do not intend to use the property as a secondary residence for at least five years following the effective date of my mortgage modification. I understand that if I do use the property as a secondary residence during such five-year period, my use of the property may be considered to be inconsistent with the certifications I have made herein.

Note: The term "secondary residence" includes, without limitation, a second home, vacation home or other type of residence that I personally use or occupy on a part-time, seasonal or other basis.

3. I do not own more than five (5) single-family homes (i.e., one-to-four unit properties) (exclusive of my principal residence).

**Notwithstanding the foregoing conditions, I may at any time sell the property, occupy it as my personal residence, or permit my legal dependent, parent, or grandparent to occupy it as their principal residence with no rent charged or collected, none of which will be considered to be inconsistent with the certifications made herein.**

This certification is effective on the earlier of the dates listed below or the date the Request for Mortgage Assistance form is received by Pacific Union.

☐ By checking this box and initialing below, I am requesting a mortgage modification with respect to the rental property described in this section and I hereby certify under penalty of perjury that each of the statements above are true and correct with respect to that property.

Initials: Borrower \_\_\_\_\_ Co-Borrower \_\_\_\_\_



## DODD-FRANK CERTIFICATION

The following information is requested by the Federal government in accordance with the Dodd-Frank Wall Street Reform and Consumer Protection Act (Pub. L. 111-203) **You are required to furnish this information.** The law provides that no person shall be eligible to begin receiving this assistance, authorized under the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5201 et seq.), or any other mortgage assistance program authorized or funded by that Act, if such person in connection with a mortgage or real estate transaction, has been convicted, within the last 10 years, of any one of the following: (A) felony larceny, theft, fraud, or forgery, (B) money laundering or (C) tax evasion.

I/We certify under penalty of perjury that I/we have not been convicted within the last 10 years of any one of the following in connection with a mortgage or real estate transaction:

- a) Felony larceny, theft, fraud, or forgery
- b) Money laundering or
- c) Tax evasion

I/We understand that the Servicer, the U.S. Department of the Treasury, or their respective agents may investigate the accuracy of my statements by performing routine background checks, including automated searches of federal, state and county databases, to confirm that I/we have not been convicted of such crimes. I/We also understand that knowingly submitting false information may violate Federal law. This certification is effective on the earlier of the date listed below or the date this Request for Mortgage Assistance form is received by Pacific Union.

## INFORMATION FOR GOVERNMENT MONITORING PURPOSES

The following information is requested by the federal government in order to monitor compliance with Federal statutes that prohibit discrimination in housing. **You are not required to furnish this information, but are encouraged to do so. The law provides that a lender or servicer may not discriminate either on the basis of this information or on whether you chose to furnish it.** If you furnish the information, please provide both ethnicity and race. For race, you may check more than one designation. If you do not furnish ethnicity, race, or sex, the lender or servicer is required to note the information on the basis of visual observation or surname if you have made this request for a loan modification in person. **If you do not wish to furnish the information, please check the box below.**

BORROWER ☐ I do not wish to furnish this information

Ethnicity:

- ☐ Hispanic or Latino
- ☐ Not Hispanic or Latino

Race:

- ☐ American Indian or Alaska Native
- ☐ Asian
- ☐ Black or African American
- ☐ Native Hawaiian or Other Pacific Islander
- ☐ White

Sex: ☐ Female ☐ Male

CO-BORROWER ☐ I do not wish to furnish this information

Ethnicity:

- ☐ Hispanic or Latino
- ☐ Not Hispanic or Latino

Race:

- ☐ American Indian or Alaska Native
- ☐ Asian
- ☐ Black or African American
- ☐ Native Hawaiian or Other Pacific Islander
- ☐ White

Sex: ☐ Female ☐ Male

## HOMEOWNERS HOTLINE

**If you have questions about this document or the general modification process, please call Pacific Union. If you have questions about government programs that Pacific Union cannot answer or need further counseling, you can call the Homeowner's HOPE™ Hotline at 888-995-HOPE (4673). The Hotline can help answer questions about the program and offers free HUD-certified counseling services in English and Spanish.**

To be Completed by Interviewer		
This request was taken by:  <input type="checkbox"/> Face-to-face interview <input type="checkbox"/> Mail <input type="checkbox"/> Telephone <input type="checkbox"/> Internet	<i>Interviewer's Name (print or type) &amp; ID Number</i> <hr/> <i>Interviewer's Signature</i> <hr/> <i>Date</i> <hr/> <i>Interviewer's Phone Number (include area code)</i> <hr/>	<i>Name / Address of Interviewer's Employer</i> <hr/>

## ACKNOWLEDGEMENT AND AGREEMENT

*In making this request for consideration, I certify under penalty of perjury:*

1. I understand Pacific Union Financial, LLC may pull a current credit report on all borrowers obligated on the Note.
2. I am willing to commit to credit counseling if it is determined that my financial hardship is related to excessive debt.
3. If I was discharged in a Chapter 7 bankruptcy proceeding subsequent to the execution of the Loan Documents, or am currently entitle to the protections of any automatic stay in bankruptcy, I acknowledge that Pacific Union Financial, LLC is providing the information about the mortgage relief program at my request and for informational purposes, and not as an attempt to impose personal liability for the debt evidence by the Note.
4. I understand that if Pacific Union Financial, LLC offers me a Trial Period Plan and I fail to accept or complete the trial plan for any reason, including, for example, declining the trial plan offer, failing to accept the trial plan offer, failing to make trial plan payments in a timely manner or failing to accept a final modification at the end of the trial period, I may permanently lose eligibility for a modification under the Making Home Affordable Program and any other modification program offered by the Servicer.
5. If I am eligible for a Trial Period Plan, Repayment Plan, or Forbearance Plan, and I accept and agree to all terms of such plan, I also agree that the terms of this Acknowledgment and Agreement are incorporated into such plan by reference as if set forth in such plan in full. My first timely payment following Pacific Union's determination and notification of my eligibility or prequalification for a Trial Period Plan, Repayment Plan, or Forbearance Plan (when applicable) will serve as acceptance of the terms and conditions set forth in the notice sent to me.
6. I agree that when Pacific Union Financial, LLC accepts and posts a payment during the term of any Repayment Plan, Trial Period Plan or Forbearance Plan, it will be without prejudice to, and will not be deemed a waiver of, the acceleration of my loan or foreclosure action and related activities and shall not constitute a cure of my default under my loan unless such payments are sufficient to completely cure my entire default under my loan.
7. I agree that any prior waiver as to my payment of escrow items to Pacific Union Financial, LLC in connection with my loan has been revoked.
8. If I qualify for and enter into a Repayment Plan, Forbearance Plan, or Trial Period Plan, I agree to the establishment of an escrow account and the payment of escrow items if an escrow account never existed on my loan.
9. I consent to being contacted concerning this request for mortgage assistance at any email address or cellular or mobile telephone number I have provided to Lender or Servicer. This includes text messages and telephone calls to my cellular or mobile telephone.
10. That all of the information in this document is truthful and the hardship(s) identified is/are the reason that I need to request a modification of the terms of my mortgage loan, a short sale, or a deed-in-lieu of foreclosure.
11. I understand that Pacific Union Financial, LLC, the U.S. Department of the Treasury, owner or guarantor of my mortgage or their agents may investigate the accuracy of my statements and may require me to provide additional supporting documentation. I also understand that knowingly submitting false information may violate Federal and other applicable laws.
12. I understand that if I have intentionally defaulted on my existing mortgage, engaged in fraud or if it is determined that any of my statements or any information contained in the documentation that I provide are materially false and that I was ineligible for assistance under the Make Home Affordable Program (MHA), Pacific Union Financial, LLC, the U.S. Department of the Treasury, or their respective agents may terminate my participation in MHA, including any right to future benefits and incentives that otherwise would have been available under the program, and also may seek other remedies available at law and in equity, such as recouping any benefits or incentives previously received.
13. The property that I am requesting mortgage assistance for is able to be lived in, and it has not been or is not at risk of being condemned. There has been no change in the ownership of the property since I signed the documents for the mortgage that I want to modify.
14. I am willing to provide all requested documents and to respond to all Servicer questions in a timely manner. I understand that time is of the essence.
15. I understand that Pacific Union Financial, LLC will use the information in this document to evaluate my eligibility for a loan modification or short sale or deed-in-lieu of foreclosure, but Pacific Union Financial, LLC is not obligated to offer me assistance based solely on the statements in this document or other documentation submitted in connection with this request.
16. I understand that Pacific Union Financial, LLC will collect and record personal information including, but not limited to, my name, address, telephone number, Social Security number, credit score, income, payment history, government monitoring information and information about account balances and activity. I understand and consent to the disclosure of my personal information and the terms of any mortgage relief or foreclosure alternative that I receive by Pacific Union Financial, LLC to (a) the U.S. Department of the Treasury; (b) Fannie Mae and Freddie Mac in connection with their responsibilities under the Homeowner Affordability and Stability Plan; (c) any investor, insurer, guarantor or Servicer that owns, insures, guarantees or services my first lien or subordinate lien (if applicable) mortgage loan(s); (d) companies that perform support services in conjunction with any other mortgage relief program; and (e) any HUD-certified housing counselor.
17. I understand that I have the right to a copy of any property valuation used in connection with the decision on the request for a modification.
18. If I or someone on my behalf has submitted a Fair Debt Collection Practices Act Cease and Desist notice to my Servicer, I hereby withdraw such notice and understand that the Servicer must contact me through the loan modification process or to find other alternatives to foreclosure.

***The undersigned certifies under penalty of perjury that all statements in this document are true and correct.***

\_\_\_\_\_  
Borrower Signature

\_\_\_\_\_  
Social Security Number

\_\_\_\_\_  
Date

\_\_\_\_\_  
Co-Borrower Signature

\_\_\_\_\_  
Social Security Number

\_\_\_\_\_  
Date